

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 1/4/08

JODY CONCEPCION,  
Plaintiff,

-v-

CITY OF NEW YORK, *et al.*,  
Defendants.

No. 05 Civ. 8501 (RJS) (JCF)  
ORDER

ALEXANDER DUNLOP,  
Plaintiff,

-v-

CITY OF NEW YORK, *et al.*,  
Defendants.

No. 06 Civ. 0433 (RJS) (JCF)  
ORDER

RICHARD J. SULLIVAN, District Judge:

By letter dated December 28, 2007, defendants in the above-entitled actions request oral argument regarding their outstanding motions to dismiss plaintiffs' respective conspiracy claims. In addition, plaintiff Jody Concepcion requests that the motion to dismiss her conspiracy claim "be held in abeyance until the completion of discovery." (Pl.'s Jan. 2, 2008 Ltr.)<sup>1</sup>

IT IS HEREBY ORDERED that counsel for all parties in the above-entitled actions shall appear for oral argument regarding defendants' motions to dismiss on

FEBRUARY 6, 2008 @ 2:30 PM in the

<sup>1</sup> Concepcion's letter was erroneously dated "January 2, 2007." The Court received the letter on January 2, 2008.

United States District Court, 500 Pearl Street, New York, New York, Courtroom 21C.

IT IS FURTHER ORDERED that Concepcion's request to hold the City's motion in abeyance pending the completion of discovery in her case is DENIED. Concepcion has failed to offer any persuasive argument, or to cite any legal authority in support of her request for this Court to abstain from resolving the instant motion, which was fully submitted — and, thus, ripe for resolution — as of March 27, 2007.<sup>2</sup>

IT IS FURTHER ORDERED that, in accord with the ruling issued by the Honorable James C. Francis, Magistrate Judge, on January 17, 2007, the parties are hereby directed to proceed with discovery in these actions during the pendency of the instant motions. (*See* Judge Francis' Jan. 17, 2007 Order, ¶ 1.)

SO ORDERED.

DATED: New York, New York  
January 2, 2008

  
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RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup> The above-entitled actions were originally assigned to the Honorable Kenneth M. Karas, and were reassigned to the undersigned on October 2, 2007.